

United States District Court
District of Massachusetts

_____)	
United States of America,)	
)	
v.)	
)	Criminal Action No.
Edward Chapman,)	18-10468-NMG-13
)	
Defendant.)	
_____)	

MEMORANDUM & ORDER

GORTON, J.

Pending before the Court is the renewed motion of defendant Edward Chapman ("Chapman" or "defendant") for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). On January 17, 2023, this Court entered an Order denying without prejudice defendant's initial motion for compassionate release for failure to demonstrate extraordinary and compelling circumstances to justify a sentence reduction.

Subsequent to defendant's filing of the instant motion, the First Circuit Court of Appeals vacated defendant's sentence and remanded for resentencing. Defendant's renewed motion is therefore moot because there is no sentence left to reduce. See United States v. McKinnon, 995 F. Supp. 1404, 1405 (M.D. Fla. 1998) ("[I]f Defendant's sentence is ultimately vacated, then Defendant's § 3582 motion becomes moot.")


Defendant's continued detention pending resentencing does not alter this calculus. Defendant is no longer under a carceral sentence but rather detained pending resentencing pursuant to 18 U.S.C. § 3143(a)(2).

Accordingly, this Court will deny defendant's renewed motion for compassionate release as moot. Defendant remains free to file a motion for compassionate release challenging any new sentence imposed.

ORDER

For the foregoing reasons, defendant's renewed motion for compassionate release (Docket No. 1363) is **DENIED as moot**.

So ordered.



Nathaniel M. Gorton
United States District Judge

Dated October 11, 2024